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PTO/SB/21 (09-04)

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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/797,439	
	Filing Date	March 9, 2004	
	First Named Inventor	Gary Weller	
	Art Unit	3731	
	Examiner Name	Unassigned	
Total Number of Pages in This Submission		Attorney Docket Number	SATTY 69244

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	Postcard 81 References
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application	Remarks	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	24201	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm Name	FULWIDER PATTON LLP	
Signature		
Printed name	DOUGLAS R. PETERSON	
Date	October 3, 2006	Reg. No. 53,458

CERTIFICATE OF TRANSMISSION/MAILING		
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on		
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Typed or printed name	DOUGLAS R. PETERSON	Date
		October 3, 2006

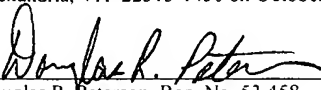
This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Douglas R. Peterson, Reg. No. 53,458

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/797,439  
Applicant : Gary Weller, Alex T. Roth, Christopher Julian, Jamy Gannoe,  
Andrew H. Hancock, Craig Gerbi  
Filed : March 9, 2004  
Art Unit : 3731  
Examiner : Unassigned  
Title : DEVICES AND METHODS FOR PLACEMENT OF  
PARTITIONS WITHIN A HOLLOW BODY ORGAN  
  
Docket No.: : SATTY 69244  
Customer No. : 24201

FOURTH SUPPLEMENTAL  
INFORMATION DISCLOSURE STATEMENT

Dear Sir:

The documents listed on the enclosed Form PTO/SB/08a have come to the attention of Applicant and are submitted to the Office under 37 C.F.R. § 1.97.

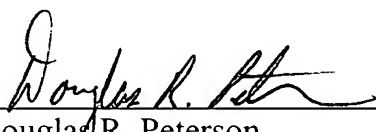
Applicant asks the Examiner to consider these references in examining the application. A copy of each of the cited foreign patents and articles is enclosed.

Applicant believes that this Information Disclosure Statement has been filed before the mailing date of a first Office action on the merits in accordance with 37 C.F.R. § 1.97(b)(3) and therefore, no fee is due. However, if a fee is in fact due the

Commissioner is authorized to charge our Deposit Account No. 06-2425. A duplicate of this paper is enclosed.

Respectfully submitted,

FULWIDER PATTON LEE & UTECHT, LLP

By:   
Douglas R. Peterson  
Registration No. 53,458

DRP:jeb  
Enclosures

Howard Hughes Center  
6060 Center Drive, Tenth Floor  
Los Angeles, CA 90045  
Telephone: (310) 824-5555  
Facsimile: (310) 824-9696  
Customer No. 24201

141832.1



Institute for form 1449A/PTO				Complete if Known				
INFORMATION DISCLOSURE STATEMENT BY APPLICANT				Application Number	10/797,439			
(use as many sheets as necessary)				Filing Date	March 9, 2004			
Sheet	1	of	20	First Named Inventor	Gary Weller			
				Art Unit	3731			
				Examiner Name	Unassigned			
				Attorney Docket Number	SATTY 69244			
U.S. PATENT DOCUMENTS								
Examiner Initials*	Cite No <sup>1</sup>	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear		
		Number	Kind Code <sup>2</sup> (if known)					
		2,108,206		02-15-1938	Meeker			
		2,508,690		07-13-1948	Schmerl			
		3,395,710		08-06-1968	Stratton et al.			
		3,986,493		10-19-1976	Hendren, III			
		4,057,065		11-08-1977	Thow			
		4,133,315		01-09-1997	Berman et al.			
		4,134,405		01-16-1979	Smit			
		4,198,982		04-22-2980	Fortner et al..			
		4,246,893		01-27-1981	Berson			
		4,315,509		02-16-1982	Smit			
		4,343,066		08-19-1982	Lance			
		4,416,267		11-22-1983	Garren et al.			
		4,458,681		07-10-1984	Hopkins			
		4,485,805		12-04-1984	Foster, Jr.			
		4,501,264		02-26-1985	Rockey			
		4,547,192		10-15-1985	Brodsky et al.			
		4,558,699		12-17-1985	Bashour			
		4,592,339		06-03-1986	Kuzmak et al.			
		4,592,354		06-03-1986	Rothfuss			
		4,598,699		07-08-1986	Garren et al.			
		4,607,618		08-26-1986	Angelchik			
FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No <sup>1</sup>	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Office <sup>3</sup>	Number <sup>4</sup>	Kind <sup>5</sup> (if known)				
		WO	1994/18893	A1	09-01-1994	Fitton et al.		
		WO	1999/17662	A1	04-15-1999	Wilson-Cook Medical		
		WO	1999/53827	A1	10-28-1999	Mills et al.		
		WO	2000/32137	A1	06-08-2000	Dua et al.		
		WO	2000/48656	A1	08-24-2000	Boston Scientific Corp.		
		WO	2000/78227	A1	12-28-2000	Laufer et al.		
		WO	2000/78229	A1	12-28-2000	Laufer et al.		
		WO	2001/66018	A1	09-13-2001	C.R. Bard Inc.		
Examiner Signature					Date Considered			

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Substitute for form 1449A/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)				<b>Complete if Known</b>				
Sheet		2		of		20		
Application Number		10/797,439						
Filing Date		March 9, 2004						
First Named Inventor		Gary Weller						
Art Unit		3731						
Examiner Name		Unassigned						
Attorney Docket Number		SATY 69244						
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		Number	Kind Code <sup>3</sup> (if known)					
		4,641,653		02-10-1987	Rockey			
		4,646,722		03-03-1987	Silverstein et al.			
		4,648,383		03-10-1987	Angelchik			
		4,694,827		09-22-1987	Weiner et al.			
		4,716,900		01-05-1988	Ravo et al.			
		4,723,547		02-09-1988	Kullas et al.			
		4,739,758		04-26-1988	Lai et al.			
		4,744,363		05-17-1988	Hasson			
		4,773,393		09-27-1988	Haber et al.			
		4,790,294		12-13-1988	Allred, III et al.			
		4,803,985		02-14-1989	Hill			
		4,841,888		06-27-1989	Mills et al.			
		4,899,747		02-13-1990	Garren et al.			
		4,905,693		03-06-1990	Ravo			
		4,925,446		05-15-1990	Garay et al.			
		4,927,428		05-22-1990	Richards			
		4,969,474		11-13-1990	Schwarz			
<b>FOREIGN PATENT DOCUMENTS</b>								
Examiner Initials*	Cite No <sup>1</sup>	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Office <sup>4</sup>	Number <sup>4</sup>	Kind <sup>5</sup> (if known)				
		WO	2001/67964	A2	09-20-2001	Medigus Ltd.		
		WO	2001/85034	A1	11-15-2001	Geitz		
		WO	2002/024080	A2	03-28-2002	Schurr et al.		
		WO	02/35980	A2	05-10-2002	Satiety, Inc.		
		WO	2002/039880	A2	05-23-2002	McClellan et al.		
		WO	2002/071951	A1	09-19-2002	Alvarez		
		WO	2002/091961	A1	11-21-2002	Hashiba et al.		
		WO	2002/096327	A2	12-05-2002	Weller et al.		
		WO	2003/007796	A2	01-30-2003	Laufer et al.		
		WO	2003/017882	A2	03-06-2003	Synecor, LLC		
Examiner Signature						Date Considered		

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				Application Number	10/797,439			
Sheet		3	of	20	Filing Date	March 9, 2004		
					First Named Inventor	Gary Weller		
					Art Unit	3731		
					Examiner Name	Unassigned		
					Attorney Docket Number	SATTY 69244		
<b>U.S. PATENT DOCUMENTS</b>								
Examiner Initials*	Cite No <sup>1</sup>	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear		
		Number	Kind Code <sup>2</sup> (if known)					
		5,037,021		08-06-1991	Mills et al.			
		5,059,193		10-22-1991	Kuslich			
		5,080,663		01-14-1992	Mills et al.			
		5,084,061		01-28-1992	Gau et al.			
		5,112,310		05-12-1992	Grobe			
		5,129,915		07-14-1992	Cantenys			
		5,156,609		10-20-1992	Nakao et al.			
		5,171,233		12-15-1992	Amplatz et al.			
		5,197,649		03-30-1993	Bessler et al.			
		5,220,928		06-22-1993	Oddsens et al.			
		5,222,961		06-29-1993	Nakao et al.			
		5,226,429		07-13-1993	Kuzmak			
		5,234,454		08-10-1993	Bangs			
		5,246,456		09-21-1993	Wilkinson			
		5,250,058		10-05-1993	Miller et al.			
		5,254,126		10-19-1993	Filipi et al.			
		5,259,366		11-09-1993	Reydel et al.			
		5,259,399		11-09-1993	Brown			
		5,261,920		11-16-1993	Main et al.			
		5,263,629		11-23-1993	Trumbull et al.			
		5,297,536		03-29-1994	Wilk			
		5,301,658		04-12-1994	Zhu et al.			
<b>FOREIGN PATENT DOCUMENTS</b>								
Examiner Initials*	Cite No <sup>1</sup>	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Office <sup>3</sup>	Number <sup>4</sup>	Kind <sup>5</sup> (if known)				
		WO	2003/078721	A2	09-25-2003	Sauer		
		WO	2003/086247	A1	10-23-2003	Stack et al.		
		WO	2003/088844	A1	10-30-2003	Zubik et al.		
		WO	2003/094785	A1	11-20-2003	Egan		
		WO	2003/105671	A2	12-24-2003	Ewers et al.		
Examiner Signature						Date Considered		

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				Art Unit 3731					
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		Number	Kind Code <sup>2</sup> (if known)						
		5,306,300		04-26-1994	Berry				
		5,309,896		05-10-1994	Moll et al.				
		5,309,927		05/10/1994	Welch				
		5,327,914		07-12-1994	Shlain				
		5,330,486		07-19-1994	Wilk				
		5,330,503		07-19-1994	Yoon				
		5,331,975		07-26-1994	Bonutti				
		5,334,209		08-02-1994	Yoon				
		5,334,210		08-02-1994	Gianturco				
		5,345,949		09-13-1994	Shlain				
		5,346,501		09-13-1994	Regula et al.				
		5,355,897		10-18-1994	Pietrafitta et al.				
		5,376,095		12-27-1994	Ortiz				
		5,382,231		01-17-1995	Shlain				
		5,403,326		04-04-1995	Harrison et al.				
		5,433,721		07-18-1995	Hooven et al.				
		5,437,291		08-01-1995	Pasricha et al.				
		5,449,368		09-12-1995	Kuzmak				
		5,452,837		09-26-1995	Williamson, IV et al.				
		5,458,131		10-17-1995	Wilk				
FOREIGN PATENT DOCUMENTS									
Examiner Initials*	Cite No <sup>1</sup>	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear		T <sup>6</sup>
		Office <sup>3</sup>	Number <sup>4</sup>	Kind <sup>5</sup> (if known)					
		WO	2004/009269	A2	01-29-2004	Craig et al.			
		WO	2004/014237	A1	02-19-2004	Gannoe et al.			
		WO	2004/017863	A2	03-04-2004	Bessler			
		WO	2004/019826	A1	03-11-2004	Cartledge et al.			
		WO	2004/037064	A2	05-06-2004	Satiety, Inc.			
		WO	2004/049911	A2	06-17-2004	Hickle			
		WO	2004/058102	A2	07-15-2004	Imran			
		WO	2004/060150	A1	07-22-2004	Smith et al.			
		WO	2004/087014	A2	10-14-2004	GI Dynamics, Inc.			
Examiner Signature						Date Considered			

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		5,465,894		11-14-1995	Clark et al.			
		5,467,911		11-21-1995	Tsuruta et al.			
		5,486,183		01-23-1996	Middleman et al.			
		5,489,058		02-06-1996	Plyley et al.			
		5,503,635		04-02-1996	Sauer et al.			
		5,527,319		06-18-1996	Green et al.			
		5,535,935		07-16-1996	Vidal et al.			
		5,542,949		08-06-1996	Yoon			
		5,549,621		08-27-1996	Bessler et al.			
		5,555,898		09-17-1996	Suzuki et al.			
		5,558,665		09-24-1996	Kieturakis			
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		5,578,044		11-26-1996	Gordon et al.			
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		5,588,579		12-31-1996	Schnut et al.			
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		5,603,443		02-18-1997	Clark et al.			
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Examiner Initials*	Cite No <sup>1</sup>	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Office <sup>3</sup>	Number <sup>4</sup>	Kind <sup>5</sup> (if known)				
		WO	2004/103189	A1	12-02-2004	Gambale et al.		
		WO	2005/023118	A1	03-17-2005	Garza Alvarez		
		WO	2005/037152	A1	04-28-2005	Stack et al.		
		WO	2005/058239	A2	06-30-2005	Saadat et al.		
		WO	2005/060882	A1	07-07-2005	Meade et al.		
		WO	2006/078781	A1	07-27-2006	Levine et al.		
		EP	0 137 878	A1	04-24-1985	Garren et al.		
		EP	0 174 843	A1	03-19-1986	Mills et al.		
		EP	0 246 999	A1	11-25-1987	Omikron Scientific Ltd.		
		EP	0 540 010	A2	05-05-1993	Bessler et al.		
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					First Named Inventor	Gary Weller		
					Art Unit	3731		
					Examiner Name	Unassigned		
					Attorney Docket Number	SATTY 69244		
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		Number	Kind Code <sup>2</sup> (if known)					
		5,624,381		04-29-1997	Kieturakis			
		5,626,588		05-06-1997	Sauer et al.			
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		5,782,844		07-21-1998	Yoon et al.			
		5,797,931		08-25-1998	Bito et al.			
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		Office <sup>3</sup>	Number <sup>4</sup>	Kind <sup>5</sup> (if known)				
		JP	63277063	A	11-15-1988	Olympus Optical Co Ltd		
		JP	63279854		11-16-1988	Olympus Optical Co Ltd		
		JP	63302863	A	12-09-1988	Olympus Optical Co Ltd		
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				First Named Inventor		Gary Weller		
				Art Unit		3731		
				Examiner Name		Unassigned		
				Attorney Docket Number		SATY 69244		
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		Number	Kind Code <sup>2</sup> (if known)					
		5,810,851		09-22-1998	Yoon			
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				Art Unit	3731			
Examiner Name	Unassigned							
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		Number	Kind Code <sup>2</sup> (if known)					
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		Number	Kind Code <sup>2</sup> (if known)					
		6,159,146		12-12-2000	El Gazayerli			
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		Number	Kind Code <sup>2</sup> (if known)					
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		6,663,598 B1		12-16-2003	Carrillo, Jr. et al.			
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		Office <sup>3</sup>	Number <sup>4</sup>	Kind <sup>5</sup> (if known)					
Examiner Signature					Date Considered				

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT  (use as many sheets as necessary)				Complete if Known				
				Application Number		10/797,439		
				Filing Date		March 9,2004		
				First Named Inventor		Gary Weller		
				Art Unit		3731		
Examiner Name		Unassigned						
Attorney Docket Number		SATTY 69244						
Sheet	12	of	20	U.S. PATENT DOCUMENTS				
Examiner Initials*	Cite No <sup>1</sup>	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear		
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Examiner Initials*	Cite No <sup>1</sup>	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
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Sheet 13 of 20				Application Number		10/797,439		
				Filing Date		March 9, 2004		
				First Named Inventor		Gary Weller		
				Art Unit		3731		
				Examiner Name		Unassigned		
				Attorney Docket Number		SATY 69244		
<b>U.S. PATENT DOCUMENTS</b>								
Examiner Initials*	Cite No <sup>1</sup>	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear		
		Number	Kind Code <sup>2</sup> (if known)					
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		Office <sup>3</sup>	Number <sup>4</sup>	Kind <sup>5</sup> (if known)				
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				Application Number	10/797,439			
Sheet		15	of	20	Filing Date	March 9, 2004		
					First Named Inventor	Gary Weller		
					Art Unit	3731		
					Examiner Name	Unassigned		
					Attorney Docket Number	SATTY 69244		
<b>U.S. PATENT DOCUMENTS</b>								
Examiner Initials*	Cite No <sup>1</sup>	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear		
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I Substitute for form 1449A/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)				<b>Complete if Known</b>				
				Application Number	10/797,439			
Sheet 16 of 20		Filing Date	March 9, 2004					
		First Named Inventor	Gary Weller					
		Art Unit	3731					
		Examiner Name	Unassigned					
		Attorney Docket Number	SATTY 69244					
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<b>FOREIGN PATENT DOCUMENTS</b>								
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Substitute for form 1449B/PTO		<b>Complete if Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)		Application Number	10/797,439
		Filing Date	March 9, 2004
		First Named Inventor	Gary Weller
		Group Art Unit	3731
		Examiner Name	Unassigned
		Attorney Docket Number	SATTY 69244
Sheet 18	of 20		
<b>OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS</b>			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
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<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)		Application Number	10/797,439
		Filing Date	March 9, 2004
		First Named Inventor	Gary Weller
		Group Art Unit	3731
		Examiner Name	Unassigned
Sheet 19 of 20	Attorney Docket Number	SATTY 69244	
<b>OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS</b>			
Examiner Initials*	Cite No <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
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